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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communication Commission
Washington, D.C. 20554

In the matter of)
Replacement of Part 90)
by part 88 to revise)
the Private Land Mobile)
Radio Services and Modify)
the Policies Governing them)

PR Docket 92-235

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To: The Commission

COMMENT OF
Birch Constuction Co.
325 North Main St
P.O. Box 299
Lyman WY, 82937

Birch Construction Co. submits its comments in response to the Commission's Notice of Proposed Rule Making in this proceeding.

1. In regards to § 88.429, and specifically Table C-3 to be used for systems in the 150-216 MHz and 450-470 MHz segments concerning power and antenna height limits, we have very serious concerns as to the effect on existing and future two-way radio systems. The severe restrictions placed on the Effective Radiated Power will have a serious detrimental effect on the feasibility and practicality of two-way radio systems.

One additional factor should be taken into consideration

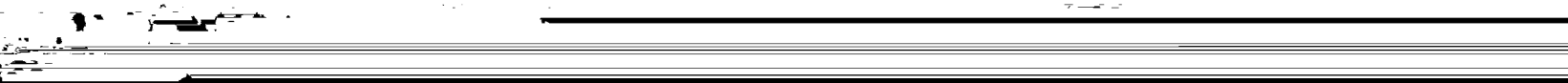




75 mile radius of the transmitter site. Time limits imposed by the required comment deadline prevent us from designing a complete chart, but we would propose that as a first level that areas with a population of 250,000 or less within a 75 mile radius of the transmitter site have authorized power levels of 300 watts ERP. Successive table elements would take into consideration areas of increasing population and antenna height until the more restrictive levels found in the current C-3 chart are reached in areas of high density population.

2. In regards to the General Catagory Pool and the proposal that all certified frequency coordinators be allowed to assign frequencies from this pool, we also have some reservations. If all coordinators are to be allowed to assign frequencies, a single, common and up-to-date database must be maintained for use by all coordinators. Multiple databases cannot be allowed. Allowing multiple databases to be maintained by various coordinators would cause continuous and harmful interference on the frequencies. The single database must be maintained by the commission itself or a single designated contractor. The data base requirements of this type of system will be quite enormous and the criteria for selecting possible contractor will have to be carefully reviewed in order to ensure that the database is kept current, accurate and is available full time for access by the various coordinators.

An alternative solution may be to divide the United States into various 'coordination zones' with a single coordinator for each zone. This would reduce the database requirements for each system to a more manageable level. The coordinators would need to have cooperative arrangements for systems that would overlap zone boundaries similar to the arrangements now in place for inter-service sharing and adjacent channel authorizations.

3. The narrower bandwidth required by the proposed rules in order to create additional channels is for the most part a viable solution for the congestion now found on the current radio frequencies. However, we submit that a more gradual and extended phase-in period be implemented to reduce the economical impact on business, local government, and public safety users. The longer phase-in period would also allow for further research and development time by equipment manufacturers in order to adequately address all technical issues and requirements of the new specifications and to develop reliable, economic equipment.

Finally, we ask that the period for comments on the proposed



to adjust existing systems to the new specifications and perform coverage tests during periods that will have a less serious effects on radio systems, businesses, and public safety operations. To perform such tests during the winter months would be difficult technically and could have a serious impact on the safety of property and lives.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dee Birch".

Dee Birch
Birch Construction